

REMARKS

Reconsideration and allowance are respectfully requested in view of the foregoing amendments and the following remarks. By this Amendment, claims 1, 14 and 17-19 are amended and new claim 20 is added to merely clarify the recited subject matter. Claims 1-20 are pending. Applicant acknowledges the indication that claims 3-9, 11-13, 15, 16, 18 and 19 include allowable subject matter but defer rewriting these claims in independent form at this time to allow the Office the opportunity to fully reconsider the allowability of the rejected base claims.

The Office Action objected to claim 19 as being a substantial duplicate of claim 18. However, the language of claim 18 requires "response to activation of tunnel establishment" while the language of claim 19 requires "response to successful establishment of a tunnel". In cases where activation of tunnel establishment occurs but does not result in successful establishment of a tunnel the condition of claim 18 is met but the condition of claim 19 is not met. Therefore, claims 18 and 19 are not substantial duplicates and this objection should be withdrawn.

HAUMONT IS NOT PRIOR ART AND WAS COMMONLY OWNED AT THE TIME OF THE INVENTION

The Office Action rejected claims 1, 10, 14 and 17 under 35 U.S.C. 102(e) as being anticipated by Haumont et al. US 6,233,458 (hereafter "Haumont").and rejected claim 2 under 35 U.S.C. 103(a) as being unpatentable over Haumont in view of Lager et al. US 6,636,502 (hereafter "Lager"). Applicant respectfully traverses the rejections because Haumont is not prior art.

The effective 102(e) reference date of US patents, filed based upon an international application having a filing date prior to November 29, 2000, is the earlier of the date of completion of the requirements of 35 U.S.C. 371(c)(1), (2) and (4) or the filing date of the later filed U.S. application (see MPEP 2136.03, section II). Thus, the effective 102(e) date of Haumont is February 24, 1999. The priority date of the present application, based on an application filed in Finland (982855) is December 31, 1998. This priority date disqualifies Haumont as a prior art reference. An English language translation of the foreign priority document will soon be filed in accordance with 37 C.F.R. 1.55(a)(4).

With respect to the 35 U.S.C. 103 rejection of claim 2, Haumont was subject to an assignment to the same person as the present application at the time the invention was made.

The name of Nokia Telecommunications Oy, the assignee of Haumont, was changed to Nokia Networks Oy, the assignee of the present invention, as indicated in the enclosed copy of the extract from the trade register. Therefore, Haumont is ineligible to be used according to 35 U.S.C. 103(c).

Based on the above arguments, Haumont should be removed as a prior art reference.

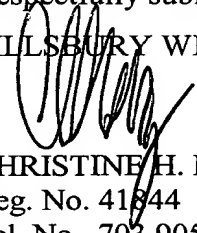
Lager teaches GPRS-subscriber selection of multiple internet service providers, however, by itself, fails to teach or suggest the claimed invention. Therefore, claims 1-20 are allowable.

All objections and rejections having been addressed, the Applicant requests issuance of a Notice of Allowance indicating the allowability of the pending claims. If anything further is necessary to place the application in condition for allowance, the Applicant requests that the Examiner contact the Applicant's undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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NATIONAL BOARD OF PATENTS AND REGISTRATION OF FINLAND



EXTRACT FROM THE TRADE REGISTER

Company name: Nokia Networks Oy

Business Identity Code: 0101120-3
Trade Register Number: 243.372
Company Registered: 23.07.1976
Company Form: limited liability company
Domicile: Helsinki

Register entries:

COMPANY NAME (registered 01.10.1999 - 30.09.2001)
Nokia Networks Oy.

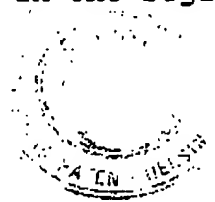
DOMICILE (registered 23.07.1976 - 30.09.2001)
Helsinki.

IMPLEMENTATION OF THE MERGER (registered 01.10.2001)
By a permission granted by the registration authority Marineland Oy Business ID 0196242-0, Nokia Networks Oy Business ID 0101120-3, Nokia Matkapuhelimet Oy Business ID 0300326-6, Nokia Display Products Oy Business ID 0751877-7 ja Nokia Multimedia Terminals Oy Business ID 0812093-9 has merged with a company named Nokia Oyj, Business ID 0112038-9.

DISSOLUTION (registered 01.10.2001)
The company has been dissolved.

ADDITIONAL INFORMATION:

No information on bankruptcy, liquidation and reorganization proceedings, if any, is available in the computer system from the time preceding October 05, 1995.
01.10.2001 Termination of business entered in the register.



COMPANY NAME HISTORY:

01.10.1999 - 30.09.2001 Nokia Networks Oy
31.07.1992 - 30.09.1999 Nokia Telecommunications Oy
11.06.1981 - 30.07.1992 Telenokia Oy
23.07.1976 - 10.06.1981 Televa Oy

Helsinki, 17 September 2004

For a true copy of the extract:


Jukka-Pääkkönen
Administrative Officer



Fee 91,50 euro

For a correct and true copy
Helsinki

20.09.2004


OLLI-PEKKA SIRO
Notary Public